

CITY OF MUSKEGON  
MUSKEGON HOUSING BOARD OF APPEALS  
MEETING MINUTES  
08/02/2012  
5:30 PM

ATTENDANCE: Randy Mackie, Greg Borgman, Kirk Kolberg, William Krick, Boyd Arthur

ABSENT: Willie German, Ed Simmons

EXCUSED:

STAFF: Carmen Smith, Henry Faltinowski, Jim Hoppus, Don LaBrenz, Chief  
Jeffrey Lewis

GUESTS: Gerry Rich(1692 Elwood), Neighbor –Allen Avenue Church(665 Allen Ave)

Meeting minutes: A motion was made by Randy Mackie and seconded by William Krick to approve the June 2012 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
William Krick				
Boyd Arthur				
			Ed Simmons	
Kirk Kolberg			Willie German	

Motion carried.

**DANGEROUS BUILDING REVIEW CASES**

**EN-120025 – 1692 ELWOOD – 37 E. MAIN LLC, P.O. BOX 652, LAKE ODESSA, MI 48849**

Gerry Rich was present to represent property.

Greg Borgman asked staff for update regarding case. Don LaBrenz stated emails had been shared back and forth with owners and on the 29<sup>th</sup> of June received renovation timeline that was almost identical to what was received before with about 2 weeks shaved off. Mr. LaBrenz said he stated to owners that they needed to be a little more aggressive with schedule. Greg

Borgman asked if that meant that the roof be moved to front of schedule. Mr. LaBrenz stated when he spoke to owners last that he wanted repairs to be done by October and he said there had been no more conversations after that. Mr. Rich asked if board had copies of both timelines submitted. He said the way it was laid out they would start cleaning up yard in July which has been done except removing the tree. He called attention to first timeline submitted and said after first HBA meeting the discussion was directed at closing in on the exterior, roof being dangerous, windows etc would be complete by end of October. He noted the first week of November would begin work on interior with the intent to be aggressive as possible with the available resources. He said we're talking only about difference of 10- 11 weeks and felt if they concentrated on exterior being done by October. Greg Borgman stated they may be biting more off than they can chew and didn't find it respectful. Mr. Rich said they are also working with City of Fremont on big project. He stated they didn't buy properties in respective communities hoping that they would let them fly but didn't know they were going to be under a microscope and didn't find out it was on Dangerous Building List until after purchased. He said they have tried hard to move up renovations but didn't feel department was meeting them half way. Don LaBrenz said after June 7<sup>th</sup> meeting he was told new timeline would be submitted soon afterwards but did not receive anything until June 29<sup>th</sup>. He stated if really serious about renovation why was timeline not submitted earlier. Mr. Rich said series of emails had been sent and no response from Mr. LaBrenz. Mr. Krick asked if property looked the same as viewed on photos and Mr. Mackie said he rode by property and nothing has changed. Mr. Rich said that since there was no agreement on timeline that's why nothing had been done. Mr. Borgman and Mr. Krick both said that was first on both timelines the yard & tree was to be addressed first. Mr. Rich made last comment that he was frustrated at the process and that property was purchased with intent to renovate but by the time they have dealt with dangerous building process, they have been charged \$1500 under vacant building because department lost waiver stating they haven't owned for a year, he said he feels they have been pushed out. Mr. Krick said he understands frustration but board can only address dangerous building issues and if the first item on list had been addressed they would be more inclined to work with you. Mr. Rich apologized stating he was under the impression that timeline had to be nailed down before any work could be done. He also stated he fought board review regarding taxes and the property at 1692 Elwood held the highest value, he said he felt the right hand didn't know what the left is doing which has soured him on investing in the city.

Motion was made by Randy Mackie to declare the structure substandard, dangerous and a public nuisance and was seconded by Bill Krick.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
William Krick				
Kirk Kolberg			Ed Simmons	
			Willie German	

Boyd Arthur

Motion carried.

**EN-120068 – 665 Allen – Muskegon County Treasurer/Owens Trust – 173 E. Apple Ave., Muskegon, MI 49442**

Jerry Meyering representing Allen Avenue Church spoke regarding property.

Mr. Meyering stated church is next door to property and was elected to see what this meeting was about. He stated the church is very concerned to what's happening a property, been nothing but eyesore, broken into countless times, dope parties, 2 people shot in front and drug paraphernalia in back yard. Greg Borgman said they appreciate when neighbors voice concern. Mr. Meyering said church had considered purchasing property couple years ago when elderly woman owned it but she went into nursing home and kids fought over it and nothing has been done. Jim Hoppus said he rode by and asked if window top floor was still broken? Greg Borgman explained process and case would be sent to City Commission for concurrence and advised Mr. Meyering he could attend that meeting.

Motion was made by Randy Mackie to declare the structure substandard, dangerous and a public nuisance and was seconded by Kirk Kolberg.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
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Greg Borgman  
Randy Mackie  
William Krick

Kirk Kolberg

Boyd Arthur

Ed Simmons

Willie German

Motion carried.

**EN-120047 – 1275 ALLEN – MARJORIE N WALLER-DOYLE, 1275 ALLEN, MUSKEGON, MI 49442**

No one was present to represent property.

Motion was made by William Krick to declare the structure substandard, dangerous and a public nuisance and was seconded by Randy Mackie.

A roll call vote was taken:

AYES:                      NAYES:                      EXCUSED:                      ABSENT:                      ABSTENTION:

Greg Borgman  
Randy Mackie  
William Krick

Kirk Kolberg

Ed Simmons

Willie German

Motion carried.

OLD BUSINESS:

Randy Mackie asked about General Plumbing, he said he heard it was going out for bids? Jeff Lewis stated that was incorrect and the background on property is cost to tear down would be exorbitant. The property is directly adjacent to US 31 highway. Mr. Lewis said he has been in contact with state Senator and tried to get state input because MDOT needs to get involved. In discussions with Inspections it is felt it would be adverse impact to the road embankment to proceed with demo and could drain Inspections of our funds. So we would like to get state involved and get a written review from MDOT and then see if any funds could be obtained to shore up structure before demolition could take place. Discussion amongst board regarding solution. Mr. Lewis stated owner appeared to have bought unseen and will probably go back for taxes.

NEW BUSINESS:

Greg Borgman welcomed back old/new member Boyd Arthur to HBA board. Mr. Borgman stated Mr. Boyd sat on board back in 90's.

**ADJOURNMENT:                      6:00 PM**

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF  
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Cummings, City Clerk  
933 Terrace Street  
Muskegon, MI 49443  
(231) 724-6705 or TDD (231) 724-6773